

AMENDED IN ASSEMBLY APRIL 21, 2009

AMENDED IN ASSEMBLY APRIL 16, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 254

Introduced by Assembly Member Jeffries
(Coauthor: Assembly Member Bill Berryhill)
(Coauthors: Senators Cox and Runner)

February 11, 2009

An act to amend Section 23301 of, and to add Section 23301.5 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 254, as amended, Jeffries. Emergency vehicles: payment of tolls: exemptions.

Under existing law, a vehicle that enters into or upon a vehicular crossing immediately becomes liable for tolls and other charges prescribed by the California Transportation Commission.

Under existing law, it is unlawful to refuse to pay, or to evade or attempt to evade the payment of, tolls or other charges on any vehicular crossing, as defined, or toll highway.

This bill would exempt authorized emergency vehicles, as defined, from payment of a toll or charge on a vehicular crossing or toll highway and any related fines, under specified conditions, including, but not limited to, when the vehicle is being driven while responding to *or returning from* an urgent or emergency call, participating in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 23301 of the Vehicle Code is amended
2 to read:
3 23301. Except as provided in Section 23301.5, each vehicle
4 that enters into or upon a vehicular crossing immediately becomes
5 liable for those tolls and other charges as may from time to time
6 be prescribed by the California Transportation Commission.
7 SEC. 2. Section 23301.5 is added to the Vehicle Code, to read:
8 23301.5. (a) An authorized emergency vehicle is exempt from
9 any requirement to pay a toll or other charge on a vehicular
10 crossing or toll highway, including the requirements of Section
11 23301, if all of the following conditions are satisfied:
12 (1) The authorized emergency vehicle is properly displaying an
13 exempt California license plate, and is properly identified or
14 marked as an authorized emergency vehicle, including, but not
15 limited to, displaying an external surface-mounted red warning
16 light, blue warning light, or both, and displaying public agency
17 identification, including, but not limited to, "Fire Department,"
18 "Sheriff," or "Police."
19 (2) The vehicle is being driven while responding to *or returning*
20 *from* an urgent or emergency call, participating in an urgent or
21 emergency response, or engaging in a fire station coverage
22 assignment directly related to an emergency response, ~~and the~~
23 ~~vehicle's red warning light, blue warning light, or both, are lighted.~~
24 (3) The driver of the vehicle determines that the use of the toll
25 facility shall likely improve the *availability or* response and arrival
26 time of the authorized emergency vehicle and its delivery of
27 essential public safety services.
28 (b) If the operator of a toll facility elects to send a bill or invoice
29 to the public agency for the use of the toll facility by an authorized
30 emergency vehicle, exempt pursuant to subdivision (a), the fire
31 chief, police chief, county sheriff, head of the public agency, or
32 his or her designee is authorized to certify in writing that the
33 authorized emergency vehicle is exempt from the payment of the
34 toll or other charge in accordance with this section. The letter shall

1 be accepted by the toll operator in lieu of payment and is a public
2 document.

3 (c) This section shall not prohibit a toll operator and a local
4 emergency service provider from entering into an agreement, or
5 a toll operator, from having a policy, that meets or exceeds the
6 conditions of this section.

7 (d) Sections 23302 and 23302.5 do not apply to authorized
8 emergency vehicles exempt pursuant to this section.

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